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SUBJECT: UN PEACE TEAM CHIEF: UN MONITORS URGENTLY REQUIRED

* Missing Section 001 *

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in Nepal. The SG's Personal Representative underscored the importance of the tripartite technical agreement on arms management as the essential foundation for a UN monitoring mission in Nepal. Pressed by DCM on what mechanism could be employed to authorize an interim team of 35 monitors, Martin replied that the issue would be decided by the UNSC and member states.

Cantonment Issues

16. (C) The UN peace team leader noted the good cooperation which initial joint working groups, including the UN, GON and Maoists, had established while identifying seven divisional cantonment sites. The issue of 21 sub-camps had initially been a matter of contention because of the distance of Maoist-proposed sub-camps from divisional sites. The Maoists had ultimately been cooperative, however, agreeing that sub-camps would be no more than two hours by road from divisional cantonments, and to the greatest extent possible, located in the same GON administrative district as the divisional cantonment. Surveys of the 21 sub-camps had yet to be completed, but the UN peace team had been augmented by a Swiss colonel with two more military advisors on the way.

Tripartite Agreement

17. (C) The UN was currently negotiating the text of the tripartite agreement, which addressed PLA force protection, permissible activities by the Nepal Army, prohibited activities, activities that require prior notification, and the details of UN arms management monitoring. Martin described the atmospherics of November 23 tripartite talks as good, but emphasized that he expected difficulties given the specificity of the agreement and differing perspectives between the PLA and NA. Despite optimistic claims to the

contrary, the UN rep expected a technical agreement to take some time, but hoped that his trip to New York would hasten agreement. Both sides were keenly aware that the status of the tripartite technical agreement would figure prominently in his New York consultations, especially with member states.

UN Role Limited to Monitoring

18. (C) Reiterating his view that a UN presence on the ground was critical, Martin emphasized that the UN's role would be limited to monitoring and would not extend to camp management, which was the responsibility of the GON and Maoists. That said, the UN was concerned about the practicalities of cantonment and their ramifications. He recalled that he had advised the GON and Maoists against immediate cantonment given the lack of preparation at cantonment sites, advice that both sides had ignored in a rush to implement the peace accord. Martin dispelled rumors that the UN would provide training or salaries for PLA cadre. On cantonment management, he underscored that the UN had pressed the GON and Maoists to identify requirements and approach the international community for assistance.

Human Rights, Cease-fire Monitoring

19. (C) On human rights and cease-fire monitoring, the SG's Special Representative said that cantonment alone would not transform the current climate in Nepal into one free of fear and intimidation and conducive to a free and fair election. He recognized that it could take some time to create an atmosphere in which elections could proceed without intimidation, pointing out the critical role for both domestic and international monitors in supporting the National Election Commission. He worried that elections after June 2007 would have to slip until September, after the monsoon, leaving large numbers of potentially disgruntled PLA in cantonment and potentially undermining the election. Martin said that the National Cease Fire Code of Conduct Monitoring Committee (NMCC) had proven ineffective, in part

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because it was too large and unwieldy. In the UN's view, a smaller and more effective replacement for the NMCC was required. Civil society participation would be important.

DPA or DPKO Operation

110. (C) Martin reported that it was unclear whether the UN monitoring mission to Nepal would take place under the aegis of the UN Department of Political Affairs as a special political mission or under the Department of Peacekeeping Operations as a peacekeeping mission. Either way, DPKO would have to operationally support a UN monitoring mission to Nepal. While a political mission could be conducted under existing budgetary authority, a DPKO deployment would require specific authorization as well as U.S. Congressional notification. A third possibility would be funding from the recently established UN trust fund for the Nepal peace process.

Recruiting Monitors

111. (C) On the issue of monitors, the SG's Personal Representative said that it had proven difficult to find enough former military monitors, and that DPKO preferred active duty monitors in any case. Martin said he had persuaded DPKO and DPA to agree to a mix of former and active duty monitors. In fact, he added, the issue had gotten confused because the UN had issued two separate requests to member states, one a force generation request for UN Military Observers, the other a request for civilian personnel. Both would be deployed under identical conditions with civilians

paid by member states and active personnel carried on existing national defense budgets. Approximately 25 member states have responded to the UN's requests for monitors.

Minimum 150 Monitors Required

¶12. (C) Martin said that the number of monitors would be determined by the UN's Technical Assessment Team and in part depend on the number of sites at which the Nepal Army decided upon to store its weapons under the peace accord. Whether the NA would store its weapons at a single site or multiple locations had not yet been resolved. At minimum, however, the UN peace team believes that more than 150 monitors would be required.

PLA Child Soldiers, Combatant Registration

¶13. (C) Addressing the related issues of forced child soldier recruitment by the PLA and registration of combatants, the SG's Personal Representative was emphatic that no recruitment in violation of the May 25 Code of Conduct (which prohibited recruitment) would be permitted. New child soldier recruits were unacceptable, and serving child soldiers would be immediately demobilized. Martin said that UNICEF was gearing up for a prominent role in the PLA combatant registration process. Concerning the actual number of PLA combatants, he recalled that the PLA had had an estimated 12,000 fighters in 2005, but that the precise current number was unknown. The tripartite technical agreement would address criteria for determining combatants' status and registration procedures. The agreement would also cover the number of weapons the PLA could retain for cantonment perimeter security.

Effective Police Critical

¶14. (C) Martin noted that, although the GON and Maoists had not explicitly requested UN assistance in reconstituting Nepal's police force, the issue was clearly critical to the success of the peace process. He had raised it with PM Koirala and would do so with Maoist Supremo Prachanda. The UN rep recalled that a UN police advisor had been included in

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the UN's de Mistura peace mission in August, reflecting the importance the UN attached to restoring law and order as part of the peace process. He speculated that the interim government would formally request UN support in re-establishing a police presence across Nepal, noting that in any case, police reform would be part of the UN's overall mission in Nepal.

Dealing with the Maoist Militia

¶15. (C) Responding to a question from the German Ambassador on how the November 21 Comprehensive Peace Agreement (CPA) dealt with the Maoist militia, Martin said that while the CPA did not provide for cantonment of militia, it was explicit in prohibiting continued operation of an armed Maoist militia. He noted that the GON had stood firm on the prohibition of unlawful arms provision in the CPA, repeating his view that the clause directly forbade the continued existence of an armed Maoist militia.

Comment

¶16. (C) Martin's briefing was clearly intended to set the stage for his upcoming consultations at UN headquarters and to garner international community support for rapid deployment of UN monitors to Nepal. Recognizing potential constraints on rapid UNSC action to authorize immediate

deployment of monitors, Embassy Kathmandu believes that it is important to fully explore the possibility of simultaneous deployment of an initial group of UN monitors to Nepal while a UN Technical Assessment Team is here.

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